

MEMBERS PRESENT

Peg Birney
Brian Callahan
Thomas J. Knips, Chairman
Robert LaColla
Robert J. Rahemba
Joel Sasser
David Stenger

MEMBERS ABSENT

Tom Chang, Alternate
Sheila Lahey, Vice Chair

OTHER PRESENT

John A. Morabito, Town Planning Consultant
Scott L. Volkman, Esq., Town Planning Board Attorney
William Dimmich
Harry Bird, P.E.
Michael Gillespie, P.E.
Kevin Hansraj

The meeting was called to order by Thomas J. Knips, Chairman at 7:00 p.m. Mr. Knips stated that the Waterfront at Fishkill - Phase V - Overlook Pointe Townhouses review has been deferred until the July 27, 2006 Planning Board meeting. Mr. Knips stated that the Sidewinders Signage discussion has been deferred at the request of the applicant.

JUNE 22, 2006 PLANNING BOARD MEETING MINUTES

Mr. Knips stated the Chair will entertain a motion to adopt the June 22, 2006 Planning Board Meeting Minutes as amended. So moved by Mr. LaColla. Seconded by Mrs. Birney. Motion carried.

REVIEW
ROMBOUT VILLAGE

Mr. Knips stated Mr. Colsey prepared a draft letter to file which was mailed to the Board members for their review and comment. Mr. Dimmich stated they removed 13 trees and replaced them with 19 trees. Mr. Dimmich stated they are working on a proposal additional parking, drainage improvements and improvements to Sterling Street. Mr. Dimmich stated this proposal would be brought before this Board in the future. Mr. Dimmich stated they would be utilizing Belgian block curbing, as it will look aesthetically better rather than utilizing the country-curb.

Mrs. Birney stated she doesn't remember the Belgian block curbs from the earlier presentations and does not see it in the current proposal or Mr. Colsey's memorandum. Mrs. Birney stated she would like to see the letter revised to reflect everything that is going to be done so that if in the future if there are additional changes the applicant will understand that they must come back before the Board before any additional improvements are made outside of the scope of the current proposal.

Mr. Knips stated the Board's is entertaining the approval the letter to file prepared by Mr. Colsey, which doesn't include approval for anything other than what is in Mr. Colsey's letter.

FINAL

REVIEW
ROMBOUT VILLAGE
(CONTINUED)

Mr. LaColla stated he does remember Mr. Andrews indicating that with the lay of the land at Rombout Village any type of curbing would work with the drainage.

Mr. LaColla made a motion that the draft letter be accepted by the Board and that Mr. Colsey sign the letter and distribute it. Seconded by Mr. Stenger. Motion carried.

REVIEW
LANDWORKS, LLC - SITE DEVELOPMENT PLAN

Mr. Morabito reviewed Mr. Andrews' memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Gillespie stated he would need to get together with Mr. Andrews to discuss his comments.

Mr. LaColla made a motion that the Mr. Gillespie be authorized to meet with Mr. Andrews. Seconded by Mrs. Birney. Motion carried.

Mr. Morabito reviewed his memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Morabito stated he sat down with Mr. Andrews and Mr. Blass regarding his comment no. 1 on his memorandum to the Board dated today. Mr. Morabito stated when they discussed this last week, they concluded that somehow you couldn't get around the words "as regulated therein." Mr. Morabito stated when the Town did some rezoning and updated the Town Code in the 1970's they rezoned some residential areas to GB which is all well and good but somehow the words "as regulated therein." remain. Mr. Morabito stated when the Hess Mart was before this Board there was a letter from Mr. Blass stating that when you make the zoning jump, you have to follow what is "as regulated therein," so the lot size is the issue for this project at this point. Mr. Gillespie stated it sounds like a question of wording. Mr. Gillespie stated it sounds like this is not an item this Board can entertain, Mr. Morabito stated it is a Town Board item. Mr. Gillespie asked if Mr. Morabito if could approach the Town Board, or does his applicant. Mr. Morabito stated there is more than one parcel with this situation, but if Mr. Gillespie would like to go before the Town Board, he certainly can. Mr. Morabito stated if you look at the list of permitted uses in GB, in his opinion they do not make a lot of sense.

Mr. Volkman stated this was referred to the Town of Wappinger and they did respond. Mr. Volkman stated that Mr. Andrews' memorandum does cover their comments. Mr. Volkman stated with the issue of lot size he does believes there is always an option to request a variance on the lot size but he has not been involved in the conversations with the Town Engineer or Town Attorney.

Mr. Gillespie stated they will try to get before the Town Board on the lot size issue. Mr. Gillespie stated regarding the architecture he did show the Board a rendering initially and thought that the Board did accept it. Mr. Gillespie stated this can certainly be deferred to another meeting.

FINAL

REVIEW
LANDWORKS, LLC - SITE DEVELOPMENT PLAN
(CONTINUED)

Mrs. Birney stated she does remember really liking the design of the building and the Town has certainly entertained both historical and architecturally significant buildings.

Mr. Gillespie stated as far as Mr. Morabito's comment regarding the Town Development Plan and scattered development what does he do with this. Mr. Morabito suggested that Mr. Gillespie take a look at the Town Development Plan, which was adopted in 1989. Mr. Morabito stated this type of use is going to generate a lot of traffic. Mr. Gillespie stated he understands the issue with traffic, he is concerned with the use itself being allowed within this district.

Mr. LaColla asked Mr. Marino if he did take a look at this plan. Mr. Marino stated yes he did issue comments regarding access and does understand the building will be fully sprinklered.

Mr. Gillespie stated this is not a small building. Mrs. Birney asked if any renderings have been done from Route 9. Mr. Gillespie stated yes they did provide a rendering at the first meeting.

Mr. Knips stated that it sounds like this needs to be brought to the Town Board. Mr. Volkman asked Mr. Morabito who is going to the Town Board. Mr. Volkman asked if this a text amendment. Mr. Morabito stated he is discussing this with the Town Board and it may be a zoning text change or a use change.

Mr. LaColla asked if there is any intention to hook up to municipal water here. Mr. Gillespie stated no. Mr. LaColla stated for the record he is working on bringing municipal water up Route 9. Mr. LaColla asked Mr. Volkman if he needed to recuse himself. Mr. Volkman stated he will think about this as if they have no intention to hook into municipal water there is no reason for Mr. LaColla to recuse himself at this time.

Mr. LaColla asked if there is a firematic problem if there is no municipal water. Mr. Marino stated he has been assured by Mr. Gillespie that there will be no firematic problems.

Mr. Knips stated there are a number of other uses in the area so if Mr. Gillespie could outline these uses it would certainly help the Town Board. It was the consensus of the Board that this type of use is acceptable to them.

Mrs. Birney stated the Town Board has considered a mixed-use development over at Van Wyck at Merritt Park .

REVIEW
PIONEER REALTY HOLDINGS, LLC (AKA RAL PLUMBING SUPPLY GROUP, LLC)

Mr. Gillespie stated they received preliminary approval some time ago. Mr. Gillespie stated the project architect has been working with the Town to resolve the issue of the sprinklers.

FINAL

REVIEW
PIONEER REALTY HOLDINGS, LLC (AKA RAL PLUMBING SUPPLY GROUP, LLC
(CONTINUED)

Mr. Muchado stated he is the architect for this project and that one of the major issues was that they wanted the warehouses not sprinklered because of the cost of having a water tank. Mr. Muchado stated the property is too small and has a lot of bedrock so they worked with Mr. Marino and the Town Building Department. Mr. Muchado stated as a result of working with them they found a way of making the building more suitable and viable by providing firewalls that separate the existing building. Mr. Muchado stated in addition they used the firewall to split up the warehouse. Mr. Muchado stated this is a steel structure building so it is not a flammable building so using the firewall as means of construction they created a building that will meet the requirements. Mr. Marino stated they did come up with the solution as Mr. Muchado discussed and it did eliminate the need for a sprinkler system.

Mr. Knips reviewed Mr. Andrews' memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Gillespie stated this plan has not been modified in accordance with the architect so the site plan will need to be modified in accordance with the architect's plans.

Mr. Knips reviewed Mr. Fink's memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

Mrs. Birney made a motion that a Resolution of Final Approval be prepared for review at the August 10, 2006 Planning Board meeting. Seconded by Mr. Stenger. Motion carried.

Mr. Stenger made a motion to waive the final public hearing. Seconded by Mr. Rahemba. Motion carried.

Mr. LaColla asked that all the revisions be made in a timely fashion so that Mr. Andrews has an opportunity to review them for the August 10, 2006 meeting. Mr. Gillespie stated he will take care of this and realizes that the deadline for the August 10, 2006 Planning Board meeting is July 19, 2006.

REVIEW
PINE VIEW - SUBDIVISION

Mr. Knips reviewed Mr. Andrews' memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Knips reviewed Mr. Fink's memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Gillespie stated if the Board feels more comfortable having his client hire a professional to do a habitat assessment, they are willing to do this. Mr. Gillespie stated Mr. Fink's memorandum does indicate to review the Hudsonia Biodiversity Report so he will have to take a look at this report.

FINAL

REVIEW
PINE VIEW - SUBDIVISION
(CONTINUED)

Mr. Morabito stated if he recalls Hudsonia did do a generic study. Mr. Morabito stated it may be that Mr. Gillespie needs to review the Hudsonia Biodiversity Study and possibly the type of trees that are on the site.

REVIEW
HOLD - SUBDIVISION

Mr. Gillespie stated that this is the subdivision where slopes were a concern and because of the layout, we were maxing out the impervious surface so these concerns have been addressed on the current plans.

Mr. Gillespie stated based upon the topography of this property he feels it would be pretty impossible to install pools here.

Mr. Knips reviewed Mr. Andrews' memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Volkman reminded Mr. Gillespie that Mr. Andrews mentioned in his previous memorandum dated April 27, 2006 that a variance will be a condition of the final approval as there is no access over their own frontage.

Mrs. Birney made a motion to schedule a public hearing for the August 10, 2006 Planning Board meeting. Seconded by Mr. Stenger. Motion carried.

Mr. Knips reviewed Mr. Fink's memorandum to the Board dated July 13, 2006; a copy of this memorandum is attached to the original minutes.

REVIEW
ZBA REFERRALS

APPLICATION NO. 06-008 - 19 VICTORIA LANE

It was the consensus of the Board that this is a matter of local concern.

APPLICATION NO. 06-009 - 11 VAN NESS ROAD

It was the consensus of the Board that this is a matter of local concern.

FINAL

Mr. LaColla made a motion to close the meeting at 8:40 p.m. Seconded by Mr. Rahemba. Motion carried.

Respectfully submitted,
Debbie Davis
Planning Board Secretary

Attachments to the original minutes